



LOCAL PROVISIONS SCHEDULE SUPPORTING REPORT

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1.0 INTRODUCTION

This report supports the submission of the Waratah Wynyard Draft Local Provisions Schedule (LPS) prepared and submitted to the Commission under section 35(1) of the Land Use Planning and Approvals Act 1993 (the Act) for assessment as to whether it is suitable for approval by the Minister for exhibition, under section 35(b) of the Act. The report demonstrates that the draft LPS meets the LPS criteria as required by section 34(2) of the Act.

2.0 ASSESSMENT AGAINST LPS CRITERIA - Section 34 of the Act

2.1 State Planning Provisions (SPP's)

Section 34(2)(a) of LUPAA requires that a LPS must contain all of the provisions that the SPP's specify must be included. Section LPI.0 of the SPP's outlines requirements for the content of the SPP's and includes:

- † Zone Maps;
- † Local Area Objectives;
- † Particular Purpose Zones (PPZ);
- † Specific Area Plans (SAP);
- † Site Specific Qualifications (SSQ);
- † Code Overlay Maps; and
- † Code Lists in Tables.

The Waratah Wynyard LPS contains all the mandatory requirements of the SPP's. Each of the mandatory and optional components is discussed below under the relevant heading.

2.2 Contents of LPSs – Section 32 of the Act

See Section 6.0 of this report.

2.3 Schedule 1 Objectives

Schedule 1 of the Act prescribes the Objectives of the Resource Management and Planning System of Tasmania (Part 1) and the Objectives of the Planning Process (Part 2).

The table below provides an analysis of the LPS against the Schedule 1 Objectives:

PART I
<i>(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.</i>
<p>Within the framework provided by the SPP's and the TPS, the draft LPS seeks to ensure that the municipality promotes and enables best practice in the sustainable development of its resources which assist in the maintenance of ecological processes and genetic diversity.</p> <p>The mechanisms to achieve this are through the application of zones and codes which reflect the potential and constraints on a given parcel of land. Where possible a zone will reflect an established land use, though in a number of cases it has been necessary to convert the zone to an alternate zone which enables the preservation of one or more natural features without compromising existing land uses. In this process it is most evident in the use of the Rural zone, and Environmental Management zone, to allow for consideration of areas identified as 'priority vegetation' areas through a state mapping project, which under the default Agriculture zone carry little weight.</p> <p>These decisions are discussed in more detail in Section 3.0</p>
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water.</i>
In every possible way, the LPS aims to ensure that existing land use practices are maintained, and likely future land uses are facilitated where sustainability is not compromised.
<i>(c) to encourage public involvement in resources management and planning.</i>
When directed to do so, the draft LPS will be exhibited and subject to the 60 day statutory notification period in accordance with Section 35(c) of LUPAA. In addition to providing the public with the mandatory hard copy maps and documentation, Council will provide an online map viewer to enable users to view all areas of interest with greater ease.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c).</i>
Through the application of zones which aim to reflect existing and appropriate future land uses, it is deemed that the LPS facilitates economic development to the best of its ability while meeting the objectives listed above.
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</i>
The SPP's provided represent a significant cooperation between the different spheres of Government to achieve a series of zones and codes which reflect the state policies and intended strategic direction. Though the Planning Authority will have less flexibility to manage development, the LPS's further the State Government's broader strategy by requiring the community and industry to

consider a greater number of factors when developing land in order to achieve a sustainable outcome.
PART 2
<i>(a) to require sound strategic planning and co-ordinated action by State and local government.</i>
The LPS as proposed is considered to be consistent with the CCRLUS which the north-west region's coordinated approach to strategic planning as is discussed in Section 2.5 of this report. Additionally, the methods used to develop each LPS were established through regional working groups in an attempt to achieve consistency in the application of the zones and codes wherever possible.
<i>(b) to establish a system of planning instruments to be the principle way of setting objectives, policies and controls for the use, development and protection of land;</i>
The TPS provides a new system of planning instrument which provides a much more extensive and consistent approach to the use, development and protection of land.
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;</i>
It is considered that the LPS as proposed has balanced environmental consideration with subsequent social and economic effects. In particular, the process has attempted to identify vegetation communities and provide protection to these communities where the impact on production capacity of agricultural land is negligible. Some instances where this is demonstrated is through the application of the Environmental Management zone and the Rural zone which as discussed in Section 3.0 of this report.
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation, and resource management policies at State, regional and municipal levels;</i>
The SPP's have been produced at a State level with consideration of environmental, social, economic, conservation, and resource management policies. The LPS as proposed is considered to be consistent with the guidelines provided by the State and The Act.
<i>(e) to provide for the consolidation of approvals for land use and development and related matters, and to co-ordinate planning approvals with related approvals;</i>
The approvals process is prescribed by The Act. The planning scheme regulates the use permissibility and level of use and development control. The approval of the TPS and associated LPS will not compromise this objective.
<i>(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania;</i>

The application of the zones and codes provided by the SPP's aim to protect the amenity and limit exposure to expected risks of residents and visitors.
<i>(g) to conserve those buildings and areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;</i>
The WWLPS will have several additional parcels of land zoned Environmental Management, due to new reserves being registered under the <i>Nature Conservation Act 2002</i> and riparian and littoral reserves created under the <i>Crown Lands Act 1976</i> . Though not considered in the SPP's, areas of Aboriginal heritage significance maintain a level of protection through the <i>Aboriginal Heritage Act 1975</i> which is administered outside of the LUPAA (the Act) process. Again, not considered in the SPP's, areas of historic heritage significance maintain a level of protection through the Tasmanian Heritage Register under the <i>Historic Cultural Heritage Act 1995</i> .
<i>(h) to protect public infrastructure and other assets and enable the orderly provision and co- ordination of public utilities and other facilities for the benefit of the community;</i>
Public infrastructure is protected through the use of the SPP's Utilities Zone, Community Purpose Zone, Open Space Zone, Recreation Zone, the Road and Rail Assets Code, Electricity Transmission Infrastructure Protection Code, and the Safeguarding of Airports Code. The use of the listed codes is mandatory, though several zone changes have been proposed to address any inconsistencies with current zoning of public land which restrict the intended uses.
<i>(i) to provide a planning framework which fully considers land capability.</i>
The application of the Agriculture, and Rural Zone in the LPS as proposed is largely informed by the extensive State Agricultural Land Mapping Project that produced the 'Land potentially suitable for agriculture' layer. On a local level additional constraint to land use have also been considered and this is discussed in detail in Sections 3.0 in relation to the above zones & the associated Appendix A, B & C.

2.4 STATE POLICIES

Section 34(2)(d) of LUPAA requires that an LPS is consistent with each State Policy. State Policies are made under Section 11 of the *State Policies and Practices Act 1993*.

Currently there are three State Policies made and the Act also incorporates National Environment Protection Measures (NEPM's) as State Policies.

2.4.1 State Policy on the Protection of Agricultural Land (PAL) 2009

The purpose of the State Policy is to:

'conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.'

The stated objectives of the policy are:

to enable the sustainable development of agriculture by minimising:

a) conflict with or interference from other land uses; and

b) non-agricultural use or development on agricultural land that precludes the return of that land to an agricultural use”.

The eleven principles that support the policy relate to the identification of valuable land resources and the matters that can be regulated by planning schemes.

The SPP's were examined against the principles of the PAL Policy in the development of the Rural and Agriculture Zone provision.

The Guidelines require land to be included in the Agriculture Zone should be based on the State-mapped 'Land Potentially Suitable for Agriculture Zone'. The guidelines state that in applying the zone, a planning authority may:

also have regard to any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which:

(i) incorporates more recent or detailed analysis or mapping;

(ii) better aligns with on-ground features; or

(iii) addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer.

Further local analysis of the results of the State layer was undertaken for the draft LPS to determine application of the Agriculture Zone and is discussed further in Section 3 with the use of decision rules largely created by the Meander Valley Council but adopted by Waratah-Wynyard Council in our methodology.

2.4.2 Tasmanian State Coastal Policy (SCP) 1996

The SCP applies to all land adjacent the sea and to all land 1km inland from the high-water mark.

The SCP's three main guiding principles are:

- † *Natural and cultural values of the coast shall be protected.*
- † *The coast shall be used and developed in a sustainable manner.*
- † *Integrated management and protection of the coastal zone is a shared responsibility.*

The Policy provides a series of outcomes that embody the principles under the following four sections, each of which is discussed in further detail below:

- a) Protection of Natural and Cultural Values of the Coastal Zone;
- b) Sustainable Development of Coastal Areas and Resources;
- c) Shared Responsibility for Integrated Management of Coastal Areas and Resources;
- d) Implementation, Evaluation and Review.

The SCP incorporates a number of themes, all of which have associated policy statements, including:

- † Natural Resources & Ecosystems
- † Cultural & Historic Resources
- † Cultural Heritage
- † Coastal Hazards
- † Coastal Uses & Development
- † Marine Farming
- † Tourism
- † Urban & Residential Development
- † Transport
- † Public Access & Safety
- † Public Land
- † Recreation

Many of these themes are addressed in equivalent terms in other strategic documents including the CCRLUS.

The SCP is principally implemented via the use of zones and the use and development control provisions within the SPP zones. Public reserves and foreshore reserves are in the Environmental Management Zone or Open Space Zone. Some zone conversions have been proposed under the LPS which seeks the outcomes listed in the SCP and are discussed further in this report.

The SPP's provide for the protection of natural resources and major ecosystems and natural processes through the following mandatory Codes and application of the LPS

mapping:

- † The Natural Asset Code (NAC), recognises and protects important biodiversity values along the coast (and more broadly), watercourses and wetlands including future coastal refugia areas;
- † The Coastal Erosion Hazard Code, which recognises areas at risk of coastal erosion; and
- † The Coastal Inundation Hazard Code, which recognises areas at risk of coastal Inundation.

For these reasons the LPS as proposed is considered to be consistent with the SCP.

2.4.3 State Policy on Water Quality Management 1997

The purpose of the *State Policy on Water Quality Management 1997* is to:

achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.

The *State Policy on Water Quality Management 1997* applies to all surface waters, including coastal waters, and ground waters excluding privately owned waters that are not accessible to the public and are not connected to waters that are accessible to the public and waters in any tank, pipe or cistern.

Currently under the WWIPS, the water quality objectives outlined in the policy are largely managed through the Water and Waterways Code, with permit conditions relating to sediment control being applied to development where risk to water quality is possible.

In addition to the SPP codes relating to waterway protection, Clause 6.11.2 (g) of the SPP clarifies the Planning Authority's ability to apply permit conditions which relate to "erosion, and stormwater volume and quality controls".

2.4.4 National Environmental Protection Measures

The current National Environmental Protections (NEPM) relate to the following:

- † Ambient air quality;
- † Ambient marine, estuarine and fresh water quality;
- † The protection of amenity in relation to noise;
- † General guidelines for assessment of site contamination;
- † Environmental impacts associated with hazardous wastes; and
- † The re-use and recycling of used materials.

The NEPMS are not directly implemented through planning schemes, with some matters being outside the jurisdiction prescribed by LUPAA. However, some aspects are addressed through various SPP provisions relating to matters such as water quality, amenity impacts on residential uses due to noise emissions and site contamination assessment.

2.5 REGIONAL LAND USE STRATEGY (RLUS)

Section 34(2)(e) of LUPAA requires an LPS to be consistent with the regions relevant Regional Land Use Strategy. The *Cradle Coast Regional Land Use Strategy 2010-2030* (CCRLUS) was declared by the Minister for Planning in October 2012 and covers the region which include Waratah-Wynyard, Circular Head, West Coast, Burnie, Devonport, Kentish, King Island, Latrobe, and Central Coast. The WWIPS 2013 was originally assessed against and found to be consistent with the CCRLUS in its final iteration. In general, the LPS as proposed is a 'like for like' conversion of the existing WWIPS 2013 provisions into the new TPS format with regard to the SPP provisions and LPS zone and code application. As such, it is considered that only the departures from the 'like for like' conversions require further assessment against the CCRLUS.

The strategic outcomes of the CCRLUS are listed below:

- † *Promotes regional land use policies that respect the natural environment, facilitate a robust and successful regional economy, provide liveable communities and a sustainable pattern of settlement, and guide new use and development toward a secure and prosperous future*
- † *Consolidates and aligns land use planning with related strategies for economic, social, environmental, conservation and resource management applying for the Cradle Coast Region and places them into an overall context of an integrated regional land use strategy*
- † *Provides a basis for the coordination of future actions and initiatives related to the growth and development of the Region and promotes arrangements which optimise benefit for regional communities*
- † *Initiates a regional land use planning process to provide a strategic regional perspective and a coordinate framework for consistent regulatory action*

These strategic outcomes have been central themes in the drafting of the LPS. Where departures from the ‘like for like’ conversion has occurred, the relevant components of the CCRLUS are referenced and discussed in more detail further in the report.

Full consideration of the LPS against the Part C of the CCRLUS is included in Appendix D.

2.6 COUNCIL’S STRATEGIC PLAN

Section 34(2)(f) of LUPAA requires that an LPS be consistent with the Council’s Strategic Plan. Adopted in 2016, the *Waratah Wynyard Corporate Strategic Plan 2017-2027* is Council’s most recent strategic document.

Of most relevance to this process are the seven themes and associated goals and these are listed below with comments in relation to the proposed LPS:

Theme	Goal	Comment
<i>Leadership and Governance</i>	<i>Waratah-Wynyard Council will deliver an openly transparent, inclusive, community-focussed governing body. We will pride ourselves on a strong sense of belonging and fairness based on trust, honesty and approachability.</i>	The development of the LPS has demonstrated that Council is taking a lead role in working with the community to ensure the best possible outcome for the municipality and stakeholders involved with changes to their properties.
<i>Organisational Support</i>	<i>Waratah-Wynyard Council will provide relevant information, training and development to our people in a timely manner, supporting great leadership to deliver services to the community.</i>	The development of the LPS will not compromise this goal. Waratah-Wynyard Council will continue to provide the opportunity for one-on-one consultations with members of the public.
<i>Connected Communities</i>	<i>Waratah-Wynyard community members will feel a sense of inclusion, belonging and value within a thriving, innovative and diverse population. They will be actively engaged in developing Council facilities, services and programs, and will be encouraged to provide input to planning for community needs.</i>	The development of the LPS will incorporate recommendations as supported by Council’s Central Area Development Strategies Project, which was guided by community engagement and the needs of community members. This will assist in providing the strategic intent for their development needs.
<i>Community Recreation and Wellbeing</i>	<i>Waratah-Wynyard will be a healthy community with access to more recreational choices in safe and welcoming environments. The community will enjoy programs and recreational spaces that are inclusive, thriving and energetic, and will have access to high quality facilities, services and equipment.</i>	The development of the LPS aims to recognise the potential of public land use and apply appropriate zones to enable public activities to occur which encourages the health and wellbeing of all.

Economic Prosperity	<i>Waratah-Wynyard will have a sustainable economy that creates jobs and delivers long-term regional and local benefits which are environmentally aware and improve liveability.</i>	The development of the LPS aims to promote the sustainable use of land where required.
Transport and Access	<i>Waratah-Wynyard's roads, traffic management and infrastructure will be sustainable and fit for purpose, facilitating the transport of goods and enabling people to undertake their daily activities.</i>	The development of the LPS will not compromise this goal.
Environment	<i>Waratah-Wynyard will be an environment where green meets blue; where natural beauty and heritage values are appreciated and managed through best practice. The natural environment will be shared and enhanced through sustainable development.</i>	A large component of developing the LPS has been identifying land which is eligible for additional protection through re-zoning to a more suitable zone, or in some cases a zone in which natural assets can be considered to a greater extent. This also involved the identification of land which is to be protected for the primary use of Agriculture. These aspects are discussed further in the report.

2.7 ADJACENT MUNICIPAL AREAS

Section 34(2)(g) of the LPS Criteria requires that the planning scheme “as far as practicable, is consistent with and coordinated with any LPS’s that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates”.

The adjacent municipal areas to Waratah Wynyard are West Coast to the south, Circular Head to the west, Burnie City to the east, Central Coast to the east and Kentish to the south-east. (see Figure 2.1). The review of their respective regional strategies for consistency with the SPP’s is not yet complete though no conflicts are anticipated as the boundary areas are generally a mix of forestry and reserve land where the possible zoning options are limited. Our Council’s have participated in a regional working group which attempted to develop like-approaches to interpreting the LPS Guideline provided by the Tasmanian Planning Commission. This group most recently met in November 2018 and reiterated the intention for like-for-like transition wherever possible and cross referenced any differing zoning crossing the municipality boundaries. The likelihood for variation is considered minimal, as such our LPS are, as far as practicable, consistent and coordinated with one another.



Figure 1: Adjacent Municipal Areas

2.8 GAS PIPELINE ACT 2000

The LPS is to have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*. The Act and regulations provide for safety requirements, however these do not have any direct relationship to a planning scheme. More relevantly the Act includes a declared statutory notification corridor for use and development within proximity to the pipeline to ensure its safety and protection. Given that Sections 70C and 70D of the Act require the planning authority to give notice to the pipeline licensee for development within the corridor. The licensee may provide advice to the planning authority as to safety conditions that are to be included on any permit issued. Further a planning authority cannot include on a permit conditions which conflict with any condition contained in the safety and operating plan for the affected pipeline.

The 'Northern Pipeline Extension' traverses the municipality south east to north wests (see Figure 2). The function of the statutory notification corridor will not be altered through the implementation of the proposed LPS.

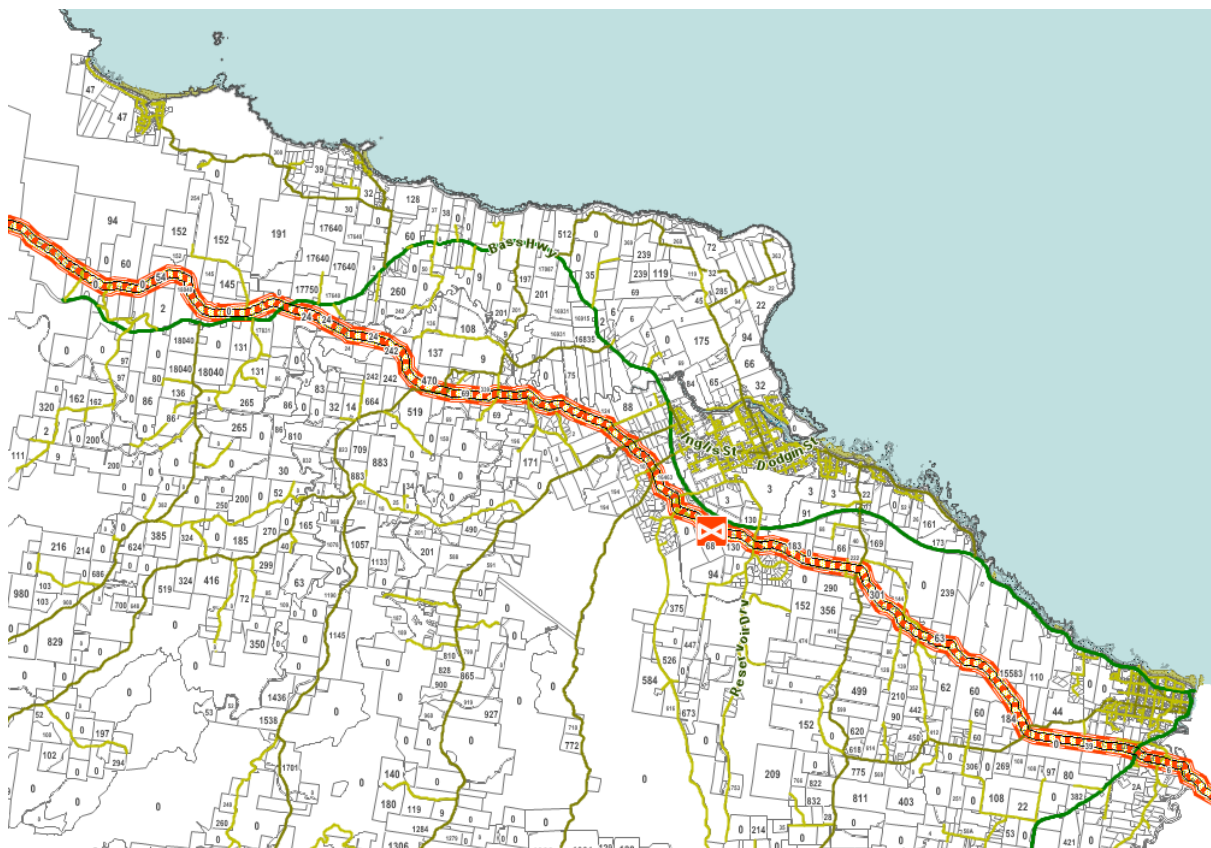


FIGURE 2 – Gas pipeline crossing the northern portion of municipality

3.0 ZONES

The application of the SPP's in Waratah Wynyard through the Draft LPS has generally been a simple like-for-like transition to a zone of the same name, though some zoning changes are proposed resulting from:

- † the statements/requirements specified in the Guidelines and changes to zone objectives and permissible uses;
- † changes in public land classification;
- † input from State Authorities (Parks and Wildlife Service etc.)
- † the inability to apply the Natural Asset Code in the Agriculture Zone;
- † the removal of the Environmental Living Zone;
- † the State's mapping of 'Land Potentially Suitable for Agriculture Zone;
- † correction of local anomalies; and
- † strategic planning and relevant studies undertaken previous to, and during, the drafting of the LPS.

The sections below discuss these zone changes in more detail. Variations to the like-for-like transition are assessed against Guideline No.1 - Local Provisions Schedule Zone and Code Application (the "Guidelines") as issued by the TPC, and where more significant changes are proposed the requirements of the CCRLUS and the Act are also addressed.

General Residential Zone 8.0

The spatial application of the General Residential Zone will be in the most case a like-for-like transition from the Interim Planning Scheme. Strategic planning through the Central Area Development Strategies (Report for Waratah-Wynyard and Circular Head Councils, GHD, 2018) has identified a small extension of the General Residential Zone (GRZ) and conversely a small reduction of the Open Space Zone and General Business Zone in Somerset.

General Residential 8.0 from Open Space

Langley Park Somerset is a 2.7-hectare site consisting of CT 200348/1, CT 145056/1, CT 235473/ 11, CT86882/2, CT 14114/1 located with virtual beach frontage and within walking distance of Somerset General Business Zone. Recreation uses are increasingly using the Somerset complex alongside the Somerset School and less frequently using the park. The Central Area Development Strategies (Report for Waratah-Wynyard and Circular Head Councils, GHD, 2018) details the transfer of recreational activities currently undertaken at Langley Park to the new sports complex associated with the school site to become the Somerset complex. A General Residential zone provides an opportunity for multiple dwelling residential development, a motel or visitor accommodation, open space, retirement village,

aged care or any combination of these. The land has access to reticulated sewer, water and stormwater and currently zoned Open Space under the WWIPS.

Somerset is identified as being a local service centre under the CCRLUS and caters primarily to the needs of the local community in housing and further supports the regional activity centre of Burnie to the east.

Section 4.5 Settlement Pattern – managing development and growth of the CCRLUS provides a table with indicative growth scenarios and settlement management strategies for the major centres of the region. This indicates that the growth scenario for the Burnie - Somerset settlement area is medium and considered contained. A contained strategy promotes a mix of intensification and planned expansion to retain compact urban form and provide a mix of development and growth opportunities. The change in zoning of Langley Park would allow for optimum use of available and planned infrastructure in both the established network and new release. This would remain consistent CCRLUS policy 4.7d promote higher density to optimise use of land and infrastructure and community service facilities.

The land satisfies GRZ 1 as it is connected to reticulated water and sewerage.

The land satisfies GRZ 2 (c) as the General Residential Zone is being applied to green-field, brown field or grey field areas that have been identified for future urban residential use and development is justified in accordance the Central Area Development Plan (Report for Waratah-Wynyard and Circular Head Councils, GHD, 2018) as endorsed by Council and (d) is currently connected to a reticulated water supply service, and reticulated sewerage system in addition to the stormwater system.

Appendix I of the Cradle Coast Regional Land Use Planning Framework Appendix I titled Cradle Coast Region Residential Land Demand and Supply Analysis states that '*Somerset provides some opportunities for further residential development. Close proximity to Burnie suggests residential land supply be considered in conjunction with that centre.*' Furthermore, the Central Area Development Plan (CADP) identifies that Somerset functions as a satellite of Burnie and draws a workforce from wider than the Burnie urban area. The demography is characterized with a comparatively ageing profile. Given the mature profile of the current housing stock there is potentially a latent demand for smaller townhouses to accommodate empty nesters with close proximity to services such as this site.

The land is also consistent with GRZ 3 as it is not constrained by hazards, nor does it contain natural values or other impediments for residential development.

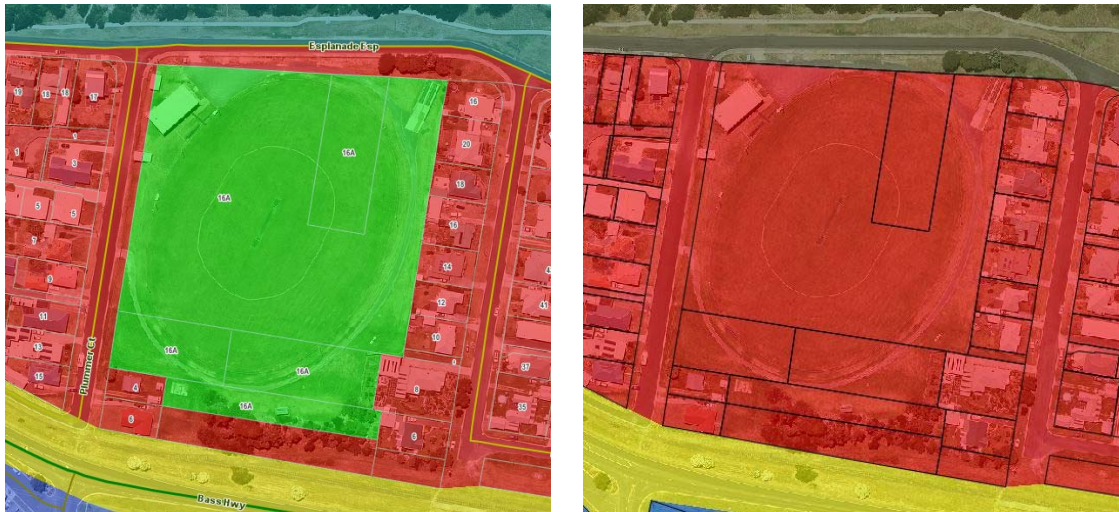


FIGURE 3.0 – Langley Park, Somerset. Left Image: IPS zoning. Right Image: Proposed WWLPS GRZ.

General Residential 8.0 from General Business

A small increase is proposed in the General Residential Zone due to a very minor reduction to the General Business Zone (GBZ) to consolidate the CBD of Somerset. The Central Area Development Strategies Project (Report for Waratah Wynyard and Circular Head Councils, GHD, 2018) discusses the General Business Zone of Somerset and the overall intention to consolidate the business centre of Somerset. It is considered appropriate to limit the extent of business zoning to the east of Somerset, to aid in consolidating the business centre back to the central portion of Wragg Street.

The parcels identified are located at the east of Falmouth Street, incorporating land within the road reserve and two (2) residential lots to the south of Wragg Street. Currently 21 Wragg Street, Somerset operates as a car servicing premises and dwelling, whilst 19 Wragg Street is a residential dwelling. Consultation with landowners in this location has confirmed they are scaling back operations to be more residential in nature. The site no longer operates as a petrol station as viewed on google street view. Instead operating as a small-scale mechanic and servicing of cars.

Previously, in 2015 Council received a combined Planning Scheme Amendment and associated subdivision for the urban block fronting onto Wragg Street, Falmouth Street, Simpson Street and Athol Street, Somerset directly north of the subject titles. This was approved with conditions in January 2016, however due to this approval, two titles and a portion of Council's road reserve to the eastern side of Falmouth Street Somerset have remained in the General Business Zone as an anomaly. This correction is recommended to ensure consistency with Guideline GRZ I and GRZ3.

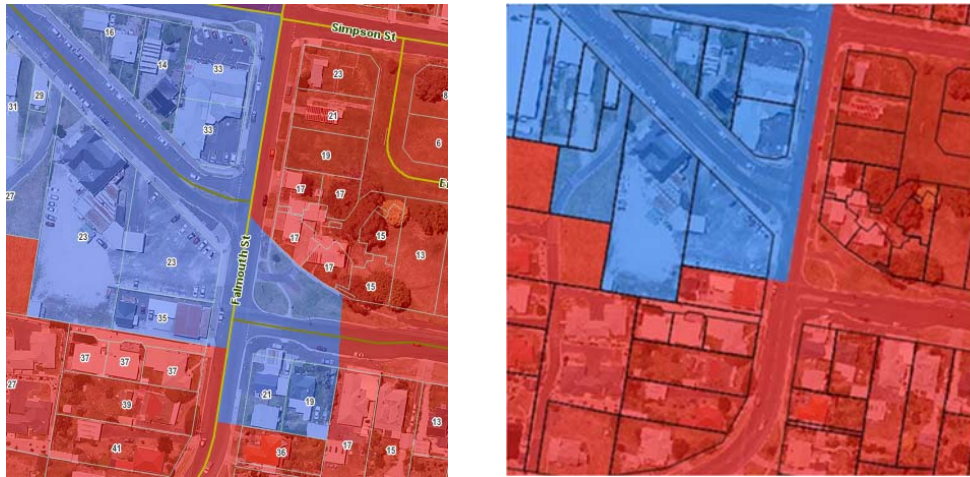


FIGURE 3.1 – East of Falmouth Street Somerset. Left Image: Current zoning. Right Image: WWLPS proposed GRZ.

Inner Residential Zone 9.0

This zone is not used in the WWLPS.

Low Density Residential Zone 10.0

The spatial application of the Low Density Residential Zone will predominantly be a like-for-like transition from the Interim Planning Scheme. The only minor expansion of the Low Density Residential Zone is a result from a translation error from Interim Planning Scheme process and will be corrected accordingly.

Low Density Residential Zone 10.0 from Rural Resource

The 29 titles, plus road reserve easement located on Old Bass Highway, Doctors Rocks are currently zoned Rural Resource under the IPS. The titles are residentially developed and all in private ownership. The title identified as CT151643/1 is acquired road and has been included for consistency. Lot sizes currently range from 594m²- 3616m². The parcels have access to reticulated water, however continue to remain outside the reticulated sewer system area. All existing properties have on-site systems. These parcels have previously been identified for an urgent amendment under the IPS, as the current zoning does not reflect the existing land pattern instead contradicting it. A hearing was held at Waratah-Wynyard Council Chambers in 2018, however a majority in favour of the residents was not reached at the time. The urgent amendment did not occur, and the zoning has remained Rural Resource. As a result, each time a small dwelling extension, or residential outbuilding is applied for on a property at Doctors Rocks, a discretionary application is required, due to all development being unable to meet the setback requirements of the current zone.

Applying the Low Density Residential Zone is the most logical alternative, given the land adjoins the General Residential zone that does not yet have available infrastructure, nor

does it have further infrastructure upgrades planned and all lots are already developed by a residential use. No further lot yield is likely as only two (2) lots are greater than 1000m² and one of these is an internal lot with large access handle. There will not be any further lot yield from the proposed Low Density Residential Zone given the mean lot size is 1106m², instead it will be a correction from the *Waratah-Wynyard Planning Scheme 2000* that was missed as a translation process as part of the IPS.

The parcels identified at Bass Highway Doctors Rocks satisfy guideline LDRZI (b) *small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services. (c) existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is justification for a strategic intention not to support development at higher densities.*

The extension of the Low Density Residential Zone in this area is deemed consistent with the CCRLUS in that it does not propose additional greenfield development. Instead it reflects the existing development pattern on one of the entrances into Wynyard along the coastal road identified as Old Bass Highway. Wynyard is the largest centre in the municipal area, the CCRLUS states that growth populations are not positive and that no further land release is required.

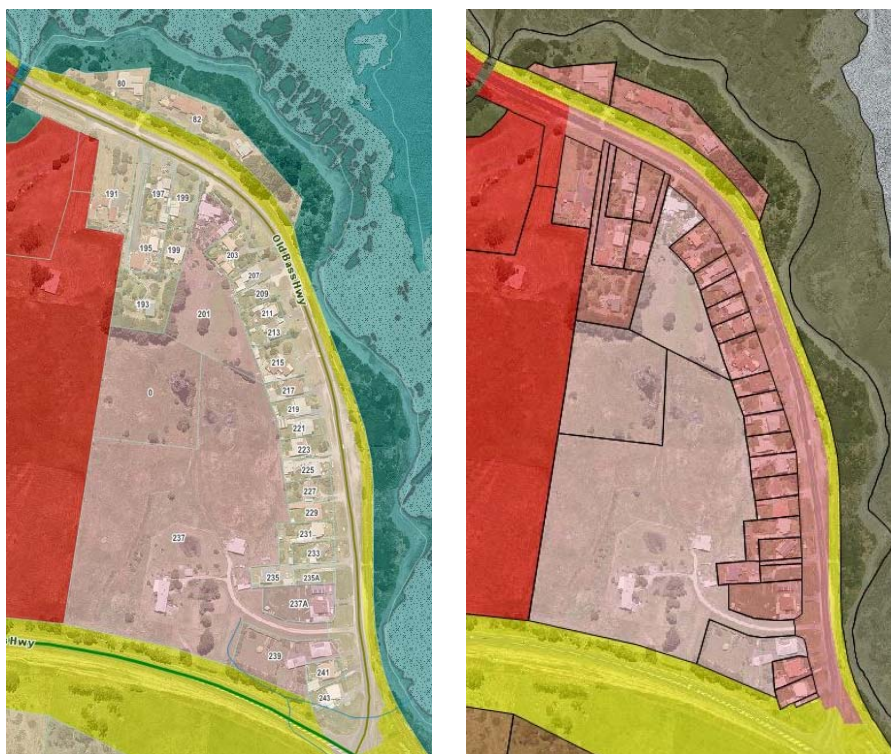


FIGURE 3.2 – Old Bass Highway, Doctors Rocks.
Left Image: current IPS zoning, Right Image: WWLPS proposed LDRZ.



FIGURE3.3- Table Cape Road, River Road junction Wynyard
 Left Image: current IPS zoning, Right Image: WWLPS proposed LDRZ

A planning scheme amendment was approved with an associated subdivision in 2014 for a property directly north of the existing subject four residential lots. However, these four (4) residentially developed lots in this location remained in the Rural Resource Zone under the IPS. As a matter of consistency, they are proposed to be included in the Low-Density Residential Zone as a correction to better reflect the existing settlement pattern. These four (4) lots have access to mains water and range from 1026m² to 3836m². Given the size of these parcels, they are unable to meet setback requirements of the current Rural Resource Zone.

There will be no further lot yield from the proposed change and therefore will remain consistent with the CCRLUS.

The existing residentially developed lots will not further impact the agricultural properties to the east, as the residential developed lots have fully established gardens along the property boundaries, many with outbuildings along the boundary rather than sensitive uses on the shared boundary, achieving generous setbacks. The adjoining agricultural property is limited by topography as a creek runs in a north south direction which isolates the small paddock and capacity of this immediate location for intensive agricultural production and limits it to small intermittent grazing.

Directly south of the properties is the Inglis River and directly north is an existing Low Density Residential area. This location is a fully developed subdivision, whilst to the west is an established visitor accommodation.

Rural Living Zone 11.0 A, B, C, D - Transition from Rural Living Zone

The spatial application of the Rural Living Zone requires categorising the existing and any new application of the zone into A, B, C, or D. These categories determine the minimum lot sizes of 1ha, 2ha, 5ha, and 10ha respectively, and for the most part have been applied to most closely reflect the developed land use pattern in accordance with the RLZ 3 of Guideline No.1. Appendix A indicates where this occurs. For the most case this will be Rural Living A, as this will not remove the ability to be able to create lots of 1ha in size as

is permitted currently under the WWIPS. Waratah Wynyard will not use Rural Living Zone sub-categories C or D.

RLZ3 (a) and (b)

The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on:

- (a) a reflection of the existing pattern and density of development within the rural living area; or
- (b) further strategic justification to support the chosen minimum lot sizes consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.

Certain areas of Rural Living have yet to be developed, therefore large balance and greenfield sites still exist.

Rural Living areas have been designated and developed with a 1 ha minimum lot size under the WWIPS. Rural Living A shares this same minimum lot size. Other classes of Rural Living (B, C and D), have only been applied in instances where a rural residential subdivision has occurred in the past but not had the luxury of a Rural Living zoning. Council is now seeking a correct zone of Rural Living being applied to the class that best fits the lot sizes in these rural residential subdivisions as developed.

Therefore, Rural Living A has been applied to all pre-existing Rural Living zoned areas.

Back Cam Road, Rettkes Road, Alberts Road, Max's Road, Vicevichs Road and Hoares Lane are Rural Living areas under IPS and have varying lot sizes ranging from small residentially developed parcels of land measuring approximately 0.065ha through to an undeveloped parcel of 29ha. Back Cam Road has a relatively even split of parcels measuring approximately 1- 1.8ha in size and developed, lots measuring 2-3 ha and developed, and undeveloped sites approximately 5-7 ha in size that have some topographical challenges and or potential servicing and staging challenges or simply not yet developed.

The Rural Living Zone cluster under the IPS at Little Village Lane, Hardys Road and Village Lane Somerset, are proposed to transition to Rural Living A under the LPS. This again is to reflect the existing residentially developed lots located along Hardys Road that fall between 0.5ha and 2ha. Preliminary discussions have occurred with 9 Hardys Road (currently a 20ha parcel) for developing the lot. Currently, Council has an application for a 13 lot subdivision at 127 Little Village Lane (currently 22 ha), 11 of the lots are less than 1ha with two remaining larger due to topographical constraints imposed by hazard risk from landslip.

Tippetts Road, Seabrook Road, Coopers Lane, Dallas Road Rural Living areas are also proposed to be Rural Living A to best reflect those sites that have been developed, particularly the properties fronting onto Seabrook Road. These measure closest to 1 hectare in size.

Newhaven Drive area in Somerset is an existing developed Rural Living area. Developed properties in this location all have site areas approximately 1ha- 1.5ha, with some of the internal lots being slightly larger and closer to 2ha in size and preliminary advice has been provided in relation to the property identified as 108 McKays Road. In keeping with Newhaven Drive the area has been categorized with Rural Living A.

Oldina Rd, Minnies Rd, and Deep Creek Rd are recommended for Rural Living A. Most lots are around the 1.5ha size, approximately 7 lots are greater than 2ha and have considerable site constraints such as a narrow-shaped lot with a watercourse running through the lot. It again is considered that Rural Living A most accurately reflects the developed lots at Wattle Hill Drive, Brownriggs Road and the south eastern side of Deep Creek Road to the Bass Highway. This cluster of Rural Living developed lots ranges in sizes from 0.39ha – 5.3ha, with the majority of the lots in Wattle Hills Drive and Brownriggs Road ranging from 0.68ha – 2ha and most falling within the 1- 1.8ha range. Aldersons Road has 5 titles zoned Rural Living, for consistency these titles have also been included in the Rural Living A zone, although their current land size ranges from 2.7ha to 4.3ha these lots are also somewhat limited for further development due to the Gas Pipeline intersecting them and Bass Highway bordering them. Individual site characteristics will prevent them from reaching lot yields as dense as the development standards provide.

The cluster of existing Rural Living zoning located at Oldina Road and Timothy Drive have been transitioned for Rural Living A in order to best reflect the existing established Rural Living lots within the area. The property identified as 48 Timothy Drive (currently 4.5ha) has a planning permit for another 4 lots. 10 Timothy Drive (currently 11.9 ha) has a subdivision application lodged for an additional 12 lots. This leaves three parcels of land not yet actively developed to a 1-hectare lot size north of Oldina Road, these include 72 Timothy Drive (10ha) and 12 and 14 Oldina Road (3.5ha and 4 ha) that have not yet been developed to their highest lot yield.

The property identified as 198 Reservoir Drive Wynyard CT1/173729 is larger than 1 hectare in size and is currently zoned Rural Living under the IPS. This site, 174 Reservoir Drive and some parcels in Smiths Road have not yet been developed like that of the eastern side of Reservoir Drive including Lennah Drive. The Rural Living A zone has been selected to best reflect land that has been developed bordering the eastern side of road, when the title is developed further and the existing small residentially developed parcels fronting onto Reservoir Drive all approximately 0.5ha in size.

Rural Living Zone 11.0 B – Conversion from Rural Resource Zone

One cluster of lots identified as being suitable for conversion to Rural Living Zone from Rural Resource under the IPS. This is where the existing land use indicates a strong settlement pattern and the mapping 'Land Potentially Suitable for Agriculture Zone' indicates that the land is highly constrained for agriculture. Potential for further land use conflict has also been considered.

The parcels of land are located at Shepperds Lane, Elliot and extend onto Murchison Highway Elliot. The majority of the lots are approximately 2ha in area, however range from 0.9ha through to one title measuring 5.8ha being the largest lot. All titles are residentially developed. The potential lot yield as a result of the Rural Living Zone B, is one (1) additional lot.

The extension of the Rural Living Zone in this area is deemed consistent with the following CCRLUS in that it again does not propose additional greenfield development. The CCRLUS identifies that supply of currently zoned Rural Living zone exceed demand in the region, however the effective zone conversions are of lots that are already fully developed in the form of a Rural Living settlement and therefore do not require further servicing or infrastructure to be provided. A subcategory of Rural Living B has been chosen for this example to reflect the existing lot sizes and discourage (prevent in most cases) any further subdivision. As such, the settlement pattern will not change.

All parcels as identified in the cluster are currently developed with established residential uses located toward the road identified as Shepperds Lane or Murchison Highway. This existing established pattern provides a separation in many cases greater than 200m from the nearest large-scale agricultural land. It must be further noted that these titles are currently operating as low order rural activities themselves with many operating as hobby farms with larger pets such as horses in their paddocks between their established residential use and the neighbouring farms consistent with the Zone application guideline RLZ1 (a). This is consistent with the CCRLUS Policy 4.7j *Require housing land is separated from and buffered against adverse effect from the existing and potential adjacent non-residential use.*

RLZ2 will assist with correcting a historically approved and developed rural residential subdivision.

The subject locality is a historic residential subdivision that has been established, there is not envisioned to be any further fettering or conflicts introduced to adjoining agricultural land to the north or south of Shepperd's Lane due to the Rural Living B Zone category reflecting the existing pattern and density of development within the Rural Living area consistent with the Zone application guideline RLZ3 (a).

The possible alternative zones, Agriculture and Rural, are not considered appropriate as the existing residential uses are not consistent with the purpose of these zones, which is to facilitate uses which require a rural location, and to protect agricultural land from non-agricultural uses.

The CCRLUS Land Use Policies for Housing land - places to live promotes land use planning promotes equitable provision, choice and distribution of housing which is adequate, affordable and suitable to meet requirements of the region. The zoning change remains consistent as 4.7 b as it facilitates choice and diversity in location, from and type of housing to meet the economic social, health and well being requirements and

preferences of all people and require housing land is separated from and buffered against the adverse effect from the existing and potential adjacent non- residential use.



Figure 3.3- Shepperds Lane, Elliot. Left Image: current IPS zoning. Right Image: WWLPS proposed RLZ



Figure 3.4- Shepperds Lane, Elliot Update

60 Shepperds Lane (CT 179267/1) and the adjoining agricultural farm has recently had a boundary reconfiguration so it is proposed to include this title in the Rural Living zone, it is already a small residentially developed lot.

Rural Living Zone 11.0 A – Conversion from Environmental Living Zone

Properties identified at Tink Taylor Avenue are currently zoned Environmental Living under the WWIPS. Under the LPS there will be no Environmental Living Zone. The nineteen lots in Tink Taylor Avenue, Sisters Beach are in private ownership and are residentially developed. The lots are serviced with a reticulated sewer system. Water and stormwater are managed onsite and lot sizes range from approximately 1020m²- 1694m². Properties are cleared of all remnant vegetation making them not suitable for a transition into the Landscape Conservation Zone. The lots continue to be used for a residential development in a very rural setting. Rural Living A is considered to be the most appropriate zone.

The proposed change is consistent with the Zone Applications Guideline RLZ 2

The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:

(b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living zone D where the minimum lot size is 10ha or greater.



FIGURE 3.5 - Tink Taylor Avenue, Sisters Beach.
Left Image: current IPS zoning, Right Image: WWLPS proposed RLZ A.

Village Zone 12.0

The spatial application of the Village Zone will be a like-for-like transition from the Interim Planning Scheme.

Urban Mixed-Use Zone 13.0

This zone is not used in the WWIPS. However, Council's Central Area Development Strategies (Report for Waratah-Wynyard and Circular Head Councils, GHD, 2018) identified the need for the introduction of an Urban Mixed Use zone to be established for parcels of land located along Goldie Street, Wynyard between Hogg Street and Moore Street.

Urban Mixed Use Zone 13.0 from General Residential Zone

The strategic intent for this zoning choice is to provide a means of re-orientating the town centre towards the Inglis River and wharf precinct. Councils Central Area Development Strategies Project recommends the introduction of an Urban Mixed Use Zone to encourage a mixed-use development sympathetic to the wharf and waterfront. The existing mix of uses are better reflected in a zone which allows for them to both remain and expand without interfering with the General Business zones to east and west of these parcels. The

Urban Mixed Use zone would complement the Waterfront and Environs Masterplan focusing on the wharf precinct. The planned implementation of the Wynyard Waterfront and Environs Masterplan also relies on physical connection to the wharf precinct to improve ease of access, pedestrian safety and traffic calming measures.

Council's Central Area Development Strategies suggests that the General Business zone at the wharf end of Goldie Street is fragmented from the General Business zone further west of Goldie Street. It summarizes that the Urban Mixed Use zone would facilitate a mix of residential and commercial uses. Higher residential densities could be achieved and opportunity for new commercial, retail and community uses are able to be established at a scale that they would support and would not compromise the town centre. This zone would maximise the opportunity to capitalize on the benefits of the location, connecting the CBD with the waterfront. Currently there is not a dominant use within this cluster of titles and uses include residential dwellings, shopfronts and a hotel industry.

It is considered this example is consistent with the Zone Application Guidelines with particular reference to UMUZ I. The Urban Mixed Use Zone should be applied to land within urban settlements:

- (a) which have an existing mix of uses, where no particular use dominates, and there is a strategic intention to maintain a mix of uses; or
- (b) where there is a strategic intention to create an area with a mix of uses where no particular use dominates.

Zone purpose 13.1.2 of the Urban Mixed Use Zone states that the zone is to provide for a diverse range of use or development that are of a type and scale that support and do not compromise or distort the role of the surrounding activity centres in the activity centre hierarchy.

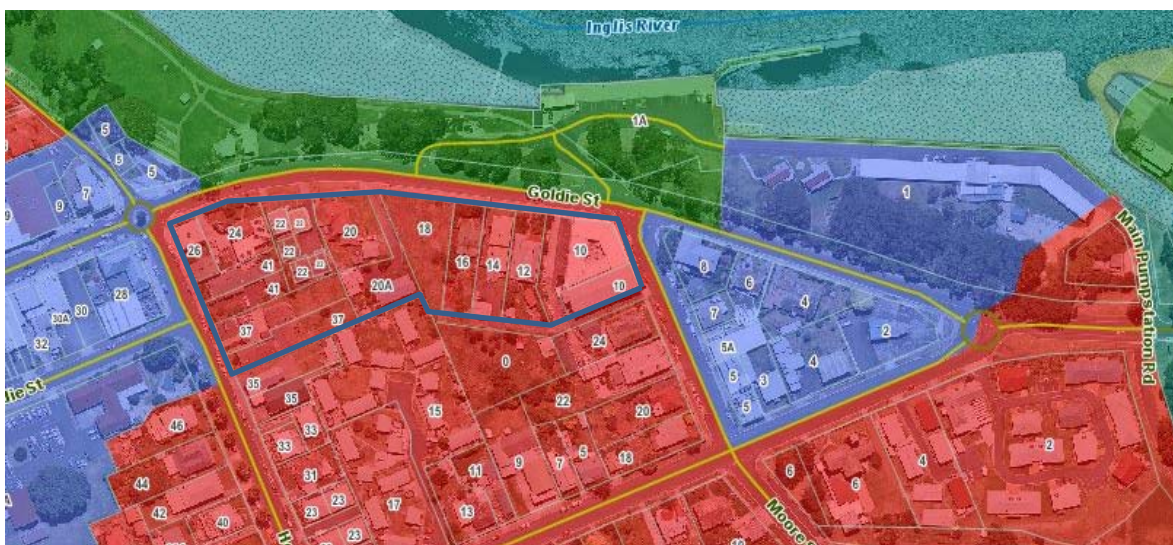


FIGURE 3.6 - Goldie Street, Wynyard.
Proposed Mixed Use Zone



FIGURE 3.7 -Wynyard CBD – IPS General Business Zone



Figure 3.7.1 Top Left Image: Pub on the corner of Goldie Street & Moore Street
 Top Right Image: General Business Zone eastern end of Goldie St facing west
 Bottom Left Image: facing west on Goldie Street. Bottom Right: Facing East on Goldie Street

The introduction of the Urban Mixed Use zone will not distort or compromise the activity centre of Wynyard, It will operate as a transitioning zone to link the currently separated sections of General Business zone.

The CCRLUS details Wynyard as a district activity centre that is required to meet the needs of the local community and the immediate suburbs also providing some activity at a regional scale. The current General Residential zone currently fragments the CBD of Wynyard from the east to the west and prevents any connection or benefit from the foreshore.

The introduction of the urban mixed use zone is considered to remain consistent with the activity of the business centre of Wynyard. The existing properties along this stretch have a range of uses operating on them. However, due to the current General Residential zone, many of the existing variety of uses do not necessarily have a clear pathway for approvals should they require extensions or modifications.

CCRLUS and the role of the activity centre identifies Wynyard as a district activity centre as is Latrobe, Sheffield, Ulverstone, Smithton and Queenstown. CCRLUS describes these district activity centres as towns with a large population base for a discrete part of the region and provide services and facilities which meet the need of the local community and the immediate hinterland and may contain some activity which is of regional scale.

These recommended changes are further supported by Section 3.3.9 CCRLUS Part 3 which outlines that the Business and Commercial activity:

- (a) *facilitate convenient access in each settlement area to food and convenience goods retailers and services*
- (b) *promote the distribution of higher order retail goods and services throughout the Region in a manner consistent with recognized settlement patterns and at a scale, type and frequency of occurrence appropriate to settlement size, local consumer demand, and relationship to the wider regional market*
- (i) *in this regard Devonport, Burnie, Latrobe, Sheffield, Ulverstone, Wynyard, Queenstown, Smithton and Currie will provide regional or district business and commercial service roles in addition to meeting local demand.*

Local Business Zone 14.0

Under the WWIPS the Local Business zone has not been used. A small inclusion to the Local Business Zone has been identified and detailed below as removal from the General Residential Zone to the Local Business Zone.

Local Business Zone 14.0 from General Residential

Strategic planning through the Central Area Development Strategies (Report for Waratah Wynyard and Circular Head Councils, GHD, 2018) has identified one example in the municipality in which it made recommendations to introduce the Local Business Zone to accommodate the current use and its anticipated expansion. The Local Business Zone was recommended as it allowed for the future expansion of the site while being consistent with

the activity centre hierarchy of Wynyard. This example is located at the junction of Park Street, Inglis Street and Church Street, Wynyard. Currently 36 Church Street operates as a local IGA store, 34 Inglis Street houses the parking to the local store, whilst 12 Church Street and 38 Park Street are all under the same ownership and are intended to be further developed to support the local supermarket expansions. Currently this junction of Inglis Street is a 5-way junction and can become congested particularly with the local community using the store, the associated car park across the street, service station diagonally across the road and school traffic from this junction. This location has been flagged by Council to provide a safer junction with a new road alignment at 36 and 34 Inglis Street Wynyard. A Local Business Zone would allow the current use to continue and would ensure expansion can occur as supported by Councils Central Area Development Strategy.

The zone application guidelines for the Local Business Zone state:

LBZ 2 The Local Business Zone may be applied to:

(c) the main retail and business area of Local Service Centres and Localities in the activity centres description in the Cradle Coast Regional Land Use Strategy.

LBZ 3 The Local Business Zone may be used for a group of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.

LBZ 4 The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless:

(a) they are a use, or are a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or

(b) there is a strategic intention to expand the existing retail business area in this locality consistent with the relevant regional land use strategy, or supported by more detailed; local strategic analysis is consistent with the relevant regional land use strategy and endorsed by the relevant council.

Currently the site provides for local area business needs. The zone purpose is to cater for that business and retail functions that serve the local area. The zone intends to control the scale of buildings and it is not considered appropriate to introduce a General Business Zone in this location. The intention is to maintain this local service centre and council's strategic intention is to encourage an active street frontage to engage shoppers as supported by adopting the Central Area Strategies Project. All four titles including the carpark, IGA title and the two titles adjoining the IGA are in the same private ownership. Whilst the vacant parcel to the west may be utilized for road re-alignment upgrades.

The rezoning is to acknowledge and allow for limited future expansion of a local, suburban supermarket. The business does not compete, nor look to compete with the major supermarket located in the General Business zone. By its nature, it operates more like a convenience store. A shop to stop by on the way home to pick up a few necessities, not to do the full grocery shopping.

Wynyard is designated as a District Activity Centre. The CCRLUS states that:

These towns offer a range of services in education, health, culture and entertainment, community

support, personal service, and convenience and comparison retail options where sustainable service levels can be supported across a number of sites.

This change is consistent with the above, as it facilitates provision of a range of retail options. The major retail is provided within the business centre, and local level service is provided within the neighbourhood. The two stores have been operating in conjunction for 30-40 years, not in direct competition.

This change is further supported by Section 3.3.9 of CCRLUS (Part 3) which outlines that Business and Commercial activity:

- d. promote integration of neighbourhood retail and service provision into residential areas at a scale, location and disposition suitable to service local need*
- e. maintain the integrity, viability and vitality of established centres by locating new business and commercial development onto land within or immediately contiguous with existing town centres and commercial zones*
- f. promote increased mix of land use, including for housing, within accessible business centres to encourage viability and vitality*
- h. prevent leakage of commercial and retail activities from preferred locations by restricting retail sales in other land use areas*
- i. provide designated locations for bulky goods and large format retailing, including for vehicle, building and trade supply, and home improvement goods*
- j. restrict sale of food, clothing and carry away consumables through bulky goods and large format retail outlets located outside town centres*



FIGURE 3.8- Inglis Street, Wynyard. Left Image: Current IPS zoning.
Right Image: WWLPS proposed LBZ

General Business Zone 15.0

The spatial application of the General Business Zone will be in the most case a like-for-like transition from the Interim Planning Scheme. The Central Area Development Strategies (Report for Waratah Wynyard and Circular Head Councils, GHD, 2018) has identified one location in Somerset where a small inclusion is recommended. This is discussed further under the Commercial Zone.

Central Business Zone 16.0

This zone is not used in the WWLPS.

Commercial Zone 17.0

The WWIPS did not use the Commercial zone.

The Central Area Development Strategies (Report for Waratah Wynyard and Circular Head Councils, GHD, 2018) has identified three locations within the municipality better suited for inclusion in the Commercial zone instead of a like for like transition.

Commercial Zone 15.0 & General Business Zone – Conversion from the General Industrial Zone

Council adopted the Central Area Development Strategies – Report for Waratah Wynyard and Circular Head Councils at its May 2019 Council meeting. The strategic intention for the site identified in Somerset is to remove the General Industrial Zone from the centre of town and instead introduce a split of Commercial zoned land and General Business zoned land centrally located in Somerset.

The subject site sits immediately adjacent the General Business Zone, and has access to full services including stormwater, sewerage and reticulated water. The Central Area Development Strategy provides suggestions that the existing building could support projects such as, an adaptive re-use project or alternatively adjoining businesses have expressed interest in expanding their footprints utilizing vacant unused land.

Currently under the WWIPS all titles within the entire block are zoned General Industrial, as shown in Figure 3.9 below. Parcels identified as 16a, 16b Wragg Street, 37-33 Simpson Street, 31 Falmouth Street, 29 Falmouth Street and 2 Elizabeth Street, Somerset are all identified as more appropriately zoned as General Business. These titles are the smaller sized titles within the block and range from a carpark measuring 2850m², a small toilet block, three (3) residential properties, housing services facility, veterinary clinic and two vacant parcels individually measuring approximately 1000m².

These parcels are located immediately adjacent the existing town centre, adjoining the General Business Zone to both the south and west. Further to this the Choice Locations assessment and forecast demand report and traffic impact assessment for Somerset these properties fronting Wragg Street and Simpson and Falmouth Street are supported for rezoning to General Business whilst the remainder of the lot recommends a Commercial zone.

Discussions with existing landowners have occurred and identified that future expansion of the current business located at 29 Falmouth Street Somerset are wishing to expand business this would include the adjoining properties to the north. Therefore, the two titles to the north have been included in the General Business zone.

Somerset is identified as a Local Service Centre under the activity centre hierarchy under the CCRLUS. Local Service Centres are to cater primarily to the immediate need of the local community in housing, education, health, culture and entertainment, community support, personal service, and convenience retail options at a level which does not service a regional or sub-regional population. Employment and business options are sized and orientated to the local population. This may involve economic activity dependent on a strategic or resource-based need.

The site is particularly consistent with the CCRLUS 2.3 (b) (ii) as it continues to promote compact and contained settlement centres, including provision of local activity centres where there is a concentrated mix of activity for shopping, working, studying, recreation and socializing clustered at readily accessible locations.

The Regional Industrial Land Study identifies that the Waratah-Wynyard municipality has the most significant supply of vacant industrial land in the north-west.

The Regional Land Use Strategy also provided an analysis and confirmed that there is an oversupply of industrial land for the next 15 years from the report.

Lots are zoned industrial but are largely unsuitable for industrial use due to constraints such as sensitive uses nearby and do not have the opportunity for buffering or amelioration to assist with minimizing any impact and therefore should be considered to alternate rezoning.

The application of the Commercial Zone in this location is considered consistent with CZ2 and CZ3 as the strategic intent as outlined in Council Central Area Development Strategy identifies removing the General Industrial zone from the centre of Somerset.



FIGURE 3.9 – Veneer Mill site Bass Highway, Somerset.

Left Image: current IPS zoning, Right Image: WWLPS proposed GBZ and CZ.

General Business Zone to Commercial Zone

Currently properties identified on the Bass Highway Somerset located between Raglan Street and Arthur Street are zoned General Business. This is a reflection of the historic commercial use of several of the properties. Should the existing General Business zone be retained in this location, higher order retail functions are considered appropriate which is not the case located alongside the Bass Highway. The current land uses on this strip of the Bass Highway include farm machinery sales and service, tractor sales and service and a service station. These uses are considered most appropriate in the Commercial Zone. The Commercial zone is intended for large format retail, service industries, storage and warehousing in a manner consistent with the activity retail hierarchy.

Council's Central Area Development Strategy identified the need for Somerset to consolidate its General Business zoning to Wragg Street, Somerset. It provided recommendations to include these existing properties fronting the Bass Highway between Raglan and Arthur Street from General Business zone to Commercial zone. The proposed changes involve zoning the land to reflect the existing uses operating on the sites, distinctly bulky goods sales use and vehicle fuel sales and service more accurately. This will enable them to be considered and developed further under zone controls more suited to their current and expected future uses.

The change is considered to meet the CCRLUS policy 3.3.9 g. prevent linear commercial development.

The change is to prevent linear development of the CBD. Therefore, the change from General Business is required. However, commercial uses exist on the site, so it is too late to prevent development. Use of the Commercial Zone best suites with the current development of the site. Waratah-Wynyard is a regional and rural area. The current businesses service the agricultural sector with the sale of agricultural equipment, such as tractors and harvesting equipment. The northern end of the site also provides a service station which is better located on the highway, rather than requiring users to divert and enter the central business area of Somerset. The size and shape of the area would not support big box commercial development.

The zone correction meets the CCRLUS policy 3.3.9 k. require proposals for major business or commercial development outside designated town centres be supported by need, absence of suitable alternative sites

The change is not to facilitate proposals for business or commercial development. It is to acknowledge the existing use of the site, and ensure it seen a separate and different to the business centre of Somerset.



FIGURE 3.10 – Bass Highway Somerset between Raglan and Arthur Street.
 Left Image: current IPS zoning, Right Image: WWLPS proposed CZ.

Utilities to Commercial zone Council depot and waste transfer station

Central Area Development Plan identified Council’s Depot and Waste Transfer Station would be more suitably zoned as a Commercial zone. This site is 1.8ha located in close proximity to Burnie Airport with a frontage to Goldie Street and opposite the airport industrial estate. The site has potential for airport or transport related dependent uses. During the consultation processes of the Central Area Development Strategies Project the potential for SES services, Fire/Ambulance and services to co-locate on a single site had been raised. Council depot site is ideally located for this purpose due to the central location and access to the Bass Highway. Further transport related uses would also be suitable and benefit from this site.

The site at 69 Goldie Street is Council’s works depot. The existing use of the land does comply with the Utilities Zone purpose or Zone application guidelines under Guideline Number One. The site does not provide for a Utility, instead the operations deliver utilities to the community (roads, stormwater network, footpaths etc). Therefore, the best fit zone is required to be identified.

Council’s Central Area Development Plan considered the site. The use of the site would best be described as a transport depot and storage. Operation is limited to business hours (7am to 5pm weekdays). Amenity impacts are limited, but the use would be best suited in an industrial zone.

A decision to relocate the Council Depot and Waste Transfer Station would provide opportunity for a redevelopment of this 1.8 hectare site. Ideally located in close proximity to Burnie Airport, with a long frontage to Goldie Street, and opposite the airport industrial estate, the site has potential for airport or transport related or dependant uses.

During consultation processes, the potential for SES and Fire/Ambulance services to co-locate on a single site was raised. The Council depot site is ideally located for this purpose in terms of being centrally located, adjacent to the airport and with ease of access to the Bass Highway.

Other 'transport' related uses that requires close proximity to road and air connections would also benefit from locating here.

Abutting the General Residential Zone and in close proximity to houses, a change to General Industrial and the range of uses allowed is not recommended. Application of a Light Industrial or Commercial Zone would be preferable, reflecting the proximity to residential areas.

Considering the existing and potential uses for the site, and the need to not increase the amenity impacts upon the adjoining General Residential Zone, it is considered that the Commercial Zone is the best fit for the site. The zoning map is to be amended accordingly.

This change is supported by Section 3.3.9 of CCRLUS (Part 3) which outlines that Business and Commercial activity:

d. promote integration of neighbourhood retail and service provision into residential areas at a scale, location and disposition suitable to service local need

e. maintain the integrity, viability and vitality of established centres by locating new business and commercial development onto land within or immediately contiguous with existing town centres and commercial zones

f. promote increased mix of land use, including for housing, within accessible business

centres to encourage viability and vitality

h. prevent leakage of commercial and retail activities from preferred locations by restricting retail sales in other land use areas

i. provide designated locations for bulky goods and large format retailing, including for vehicle, building and trade supply, and home improvement goods

j. restrict sale of food, clothing and carry away consumables through bulky goods and large format retail outlets located outside town centres

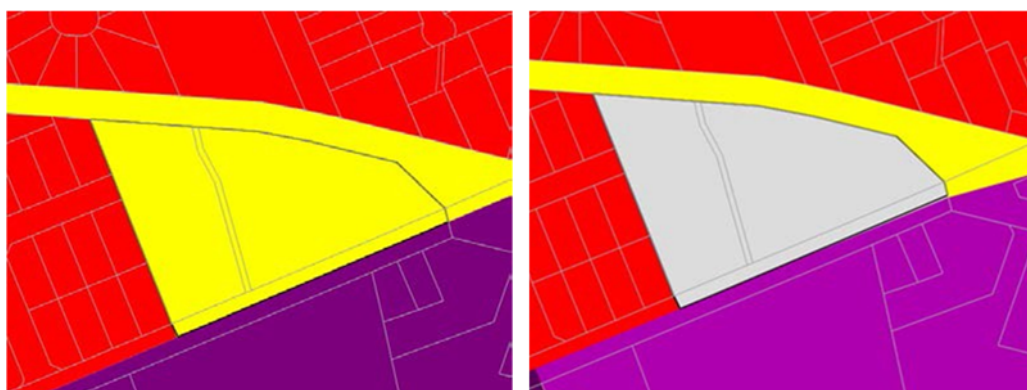


FIGURE 3.11 - CT152619/2 and CT 152619/1
Left Image: current IPS zoning, Right Image: LPS

Light Industrial Zone 18.0

The WWIPS does not currently use the Light Industrial Zone.

Inclusion of a cluster of parcels located along Reservoir Drive has been identified for the inclusion in the Light Industrial zone to better reflect current and future land uses of the area. The Guidelines outline permissible changes as follows:

LIZ 1 - The Light Industrial Zone should be applied to land where there are likely to be minimal off-site impacts.

LIZ 2 - The Light Industrial Zone should not be applied to individual, isolated industrial uses, unless:

- (a) they are a use, or are of a scale, that is more appropriate for the Light Industrial Zone and there is a strategic intention to maintain the use; or*
- (b) there is a strategic intention to expand the existing industrial area in this locality consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*

As seen in Figure 3.12 below, the properties are located to the western end of the Burnie Airport and include properties fronting onto Lewis Street, Goldie Street, Frederick Street, Reservoir Drive, Waterworth Street and Bravo Street Wynyard.

All existing uses within this cluster are reflective of a Light Industrial mix of uses rather than a General Industrial mix of uses. Council currently does not have a Light Industrial zone and therefore some uses are prohibited as a result of the direct transition. Their conversion to Light Industrial Zone will allow a pathway for the established use of the sites and enable further appropriate development. In addition, the possible uses in the Light Industrial zone do not provide for sensitive uses that would be likely to conflict with the adjoining rural use to the south and General Residential zone to the north of Goldie Street.

It is considered that the zone conversion described is supported by the CCRLUS *Strategic Outcomes to Support Economic Activity*. In particular, this states that land use planning –

- *facilitates regional business through arrangements for the allocation, disposition and regulation of land use which promote diversification, innovation and entrepreneurship and avoid unnecessary restraint on competition and cost for compliance*

The Industrial land use strategy advised Council to provide a wider range of industrial land in order to attract greater uptake. WWC currently doesn't have any Light Industrial zoned land. The current businesses in this industrial area are transport depots, storage, panel beating, upholstery, timber processing and gyms. These uses fit well within the light industrial zone (LIZ 2a). Given this area's proximity to residential development, it would be good timing to change the zone to light industry, to prevent a heavy industry locating in this area. To date Council and the community have been fortunate that industry has self-

regulated, with heavy industry locating in the industrial zones on the periphery of the town (Stennings Road and Terra Nova Drive).

The purposes for the two industrial zones are similar in that they are for similar uses, but diverge when it comes to consideration of impacts on adjoining properties. Given the proximity to residential zones, minimizing conflict with other uses is important.

3.3.8g of the CCRLUS recommends to: *segregate local service industries from large-scale manufacturing, process and transport activities.*

This is what this change is seeking to do.

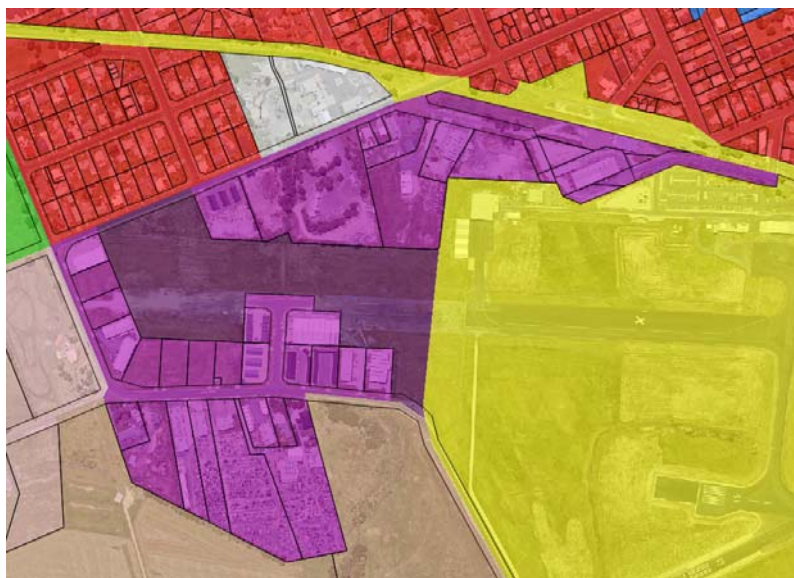


FIGURE 3.12 – Proposed Light Industrial Zone conversion of lots fronting Lewis Street, Goldie Street, Frederick Street, Reservoir Drive, Waterworth Street and Bravo Street, Wynyard.

General Industrial Zone 19.0

The spatial application of the General Industry Zone will be for the majority a like-for-like transition from the Interim Planning Scheme.

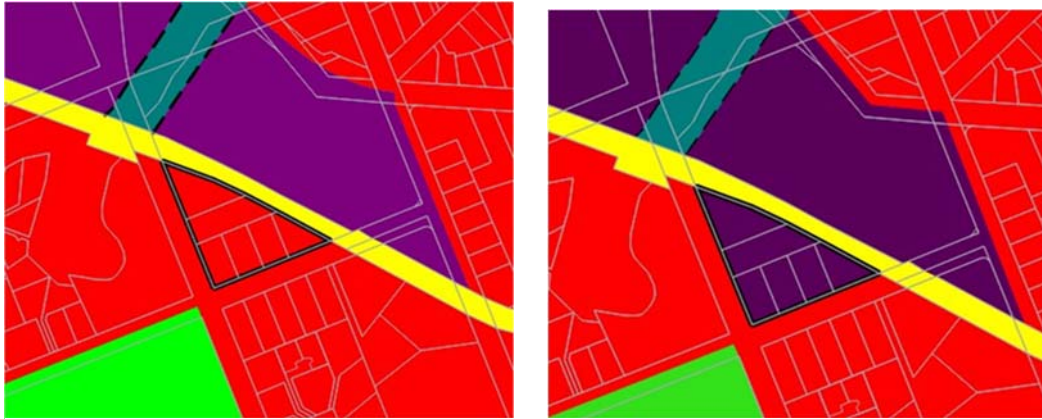


Figure 3. 13 – United Milk including CT 30685/1, CT 38470/1, CT 38470/2, CT 24160/15, CT 27208/2 and CT 27208/3
Left IPS Right LPS

The WWC will seek to covert some small titles owned by United Milk Tasmania trading as Fonterra to the south of the railway line including CT 30685/1, CT 38470/1, CT 38470/2, CT 24160/15, CT 27208/2 and CT 27208/3. Currently two of these titles have approval for storage overflow for the existing level 2 dairy processing plant to the north. These properties located at 2-8 Belton Street Wynyard from the General Residential zone to the Industrial zone for reason that all dwellings had fallen into disrepair and demolished from site.

These sites are used for limited warehousing and storing of product, however relies on potentially unsafe vehicular movements from the plant to the site using Belton Street as identified by Council’s Central Area Development Plan. This would provide the opportunity for an internal circulation with TasRail corridor and avoid roadworks and relocation and removal of powerlines.

The change is consistent with GIZ3 in that the site continues to have access to freight corridors and easy access from the highway.

The proposed small change in zoning remains consistent with the CCRLUS at 3.5.1 as there is an established processing industry base at Fonterra’s site, that has capacity for potential value-adding primary resources. The region has capacity to further expand and value-add in resource commodities. There is an established freight transport and storage connection to the site with easy access from the Bass Highway without having to go through CBD Wynyard.

Rural Zone 20.0 & Agriculture Zone 21.0 – Transition from Rural Resource Zone

As per other councils in the Cradle Coast region, Waratah Wynyard did not adopt the use of the Significant Agriculture Zone in the Interim Scheme and therefore currently only use the Rural Resource Zone for rural and non-urban areas. Its application is widespread, covering 2945 of a possible 10850 parcels of the municipality. As such, the process in determining the appropriate transition to the Rural or Agriculture zone required a significant amount of input beyond the criteria outlined in the *Section 8A Guideline No.1* and the Statewide Agricultural

Mapping project.

The Guidelines provide the following criteria:

RZ 1 - The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.

RZ 2 - The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.

RZ 3 - The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:

(a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;

(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;

(c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;

To assist with the zone transition process, Meander Valley Council, in conjunction with Agricultural consultants, developed a series of assessment criteria for the most common scenarios in which the Rural or Agriculture zone might be applied. This document was adopted by Waratah Wynyard and subsequently simplified for easier comprehension. Its use has been extensive, particularly in determining the zoning of large tracts of Private Timber Reserves (PTR's). A copy of this document is included in Appendix B and includes the basic rules applied and their rationale.

Generally speaking, the Agriculture Zone has been applied unless a reasonable case can be made otherwise. It should be noted that although the purpose of the Rural zone is aimed at uses that are 'compatible' with agriculture uses and on land which might be of marginal agricultural use, the use tables and associated Use Standards and Development Standards for both zones do not feature significant differences for the most common forms of development that are likely to occur. Of relevance to most landholders is the ability to develop rural land for Residential purposes, and this use is only marginally less constrained in the Rural zone.

By far the largest portion translated to the Rural Zone is land classified as Permanent Timber Production Zone under the ownership of Sustainable Timbers Tasmania (previously Forestry Tasmania). Another significant portion of landed subject to the conversion to the Rural Zone is land under Private Timber Reserve. Private timber reserves include native

forests or, as is more common in Waratah Wynyard municipality, plantation forestry. Although plantation forestry is considered a form of agriculture, the Agriculture Zone specifically distinguishes it from other forms listed under the definition of Resource Development by listing it as a Discretionary use on land classed as 'Prime Agriculture' (Class I- 3). As such, it is generally considered that plantation forestry is not the preferred use in the Agriculture Zone and subsequently supports the application of the Rural Zone.

Yolla Reservoir has been zoned Agriculture Zone and not Utilities Zone for two reasons. WWC used the methodology of direct translation where possible (Rural Resource to Agriculture).

Using the Utilities zone would be a dot in a sea of Agriculture zone. There did not seem to be a great benefit in highlighting a 3.5ha site. Preference is for a broad brush approach. It is noted that UZ4 "may be applied". If it is not applied, then it is not automatically inconsistent.

Waratah dam has also been transitioned from Rural Resource to Rural, demonstrating Council's consistency in this approach.

Development standards in the Agriculture Zone would seem to be more beneficial than those listed under the Utilities zone.



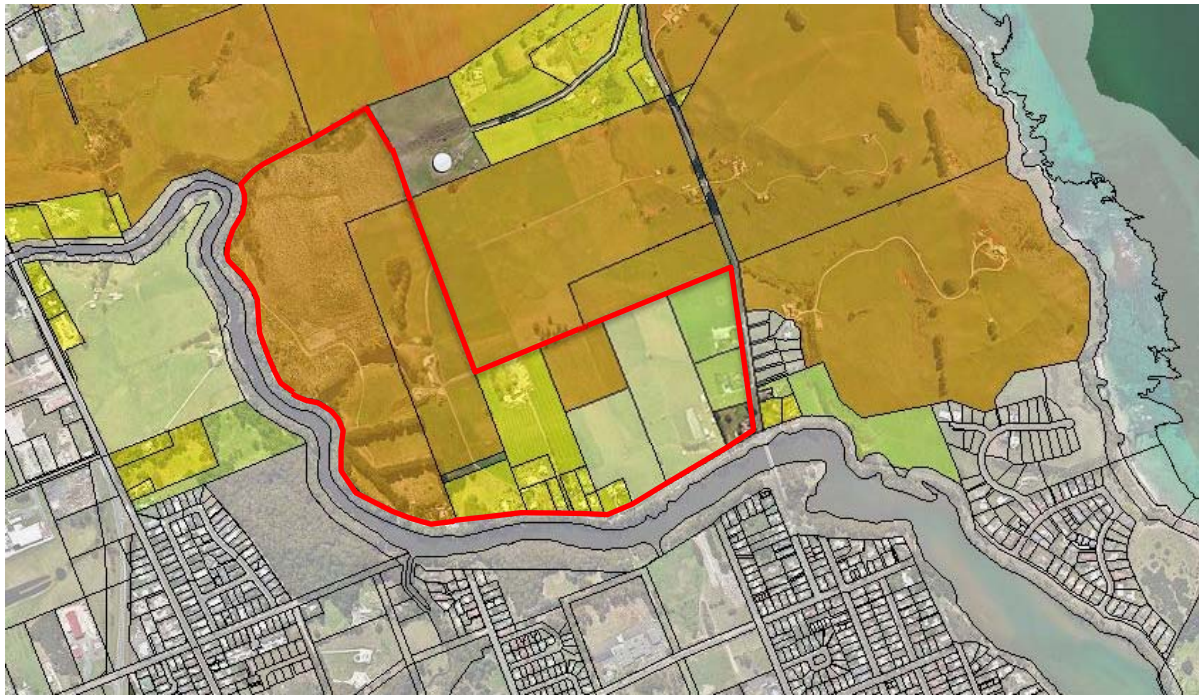


FIGURE 3.14 – Proposed Rural Zone transition north of River Road, Wynyard. Upper Image: Land capability (majority class 5 with pockets of class 4). Lower Image: Agricultural Constraints shown (Agricultural Land Mapping Project).

Though the zone decisions mentioned above and in the Decision Rules of Appendix A are beyond the scope of the Guidelines, it is considered that these are consistent with the Section 34 (2) of LUPAA, in particular part (d) which refers to the State Policy on the Protection of Agricultural Land. The differentiation of land described is driven by the aim of protecting the most productive agricultural land and recognising the demand for less intensive uses such as plantation forestry in Private Timber Reserves.

In other instances, the Rural Zone has been applied due to established non-agricultural land uses causing significant constraints to the land. Extractive industries fall into this category and are consistent with RZ3 (a) & (b) of the Guidelines. Additionally, Waratah Wynyard contains a number of clusters of dwellings on small lots within largely agricultural landscapes and also fall into this category. These clusters are highlighted in the Statewide Agricultural Mapping Project and are referenced in the table shown in Appendix A. In determining whether the Rural or Agriculture Zone is more appropriate, the Decision Rules of Appendix B were used, and a brief summary provided for each conversion in the table shown in Appendix A.

As can be seen in Figure 3.14 a significant portion of constrained rural land was also identified to the northern bank of the Inglis River. The land is located in close proximity to Wynyard's General Residential Zone on the southern bank of the Inglis River and is connected to mains water. It proposed for transition to the Rural Zone. This land contains numerous lots mapped as 'potentially constrained' under the State Agricultural Land Mapping Project and features a land capability class of 5 and pockets of 4, which suggests limited intensive agricultural potential. The L-shaped parcel to the west of this cluster of properties currently has an operational private timber reserve located to the north of the title. These factors, along with the proximity to the Residential zone and availability to services, suggest that this

tract of land is constrained and subsequently the Agriculture zone is not an appropriate zone as per the Guidelines RZ 3-(b) & (c).

Environmental Management to Rural Zone

This title identified as CT168860/1 on Broomhalls Road. It is currently a split zone under the IPS and is zoned Rural Resource and Environmental Management. Historically the Environmental Management portion of this lot was owned by Parks and Wildlife Services. This parcel is now in private ownership (and has been since 2016). It does adjoin the Rocky Cape National Park, however has an active mining lease with associated quarry on-site that is used in conjunction with the quarry on the adjoining title to the south. The portion of the site currently zoned Environmental Management had been previously leased from Crown for mining purposes, prior to it being in the one ownership. It is predominantly cleared as can be seen in the overhead at Figure 3.15, has a current mining lease and increasing production. Further to this the boundary of the title has a cleared maintenance track also fragmenting it from the adjoining Environmental Management zone to the east. The current landowner has been in contact with the EPA in relation to increasing production to a Level 2 operating capacity. The site is not mapped with threatened or endangered species or communities as identified on TheList Mapping.

This particular site is considered inconsistent with the Guidelines provided for the Environmental Management Zone, particularly EMZI as there are no significant ecological scientific, cultural or scenic values or significant values onsite for protection, where the intention is to limit use or development. The site has an existing permit to be operating as a quarry and has further capacity to continue or increase production.

The Rural Zone is suggested for consistency due to the Zone Application Guideline RZ1 as the portion of the parcel is non-urban with limited to no potential for agriculture as a consequence of the topography of the site and no specific values remain to protect that have the potential for an Environmental Management Zone. The parcel is located outside the land mapped potentially suitable for Agricultural Zone as provided on the LIST mapping. Therefore, remaining consistent with Zone Application Guideline RZ2.

The site remains consistent with the CCRLUS at 3.3.4 Mineral, Construction Aggregate and Stone Resource extraction. It continues to remain consistent with 2.5 Land Use Policies for Land recognising land is irreplaceable and exhaustible resource. Ensuring the sustainable use or development of the land is in accordance with the capability to provide the greatest economic and social for the region's communities benefit at least cost to natural values.



FIGURE: 3.15 Broomhall's Road Sisters Creek CT168860/1
Left Image: IPS Right Image: LPS



FIGURE: 3.16 Broomhall's Road Sisters Creek CT168860/1
Overhead with imagery

Environmental Management Zone 23.0

The spatial application of the Environmental Management Zone will be a like-for-like transition from the Interim Planning Scheme.

Environmental Management Zone 23.0 - Conversion from Rural Resource Zone

The general spatial application of the Environmental Management Zone will be a like-for-like transition from the Interim Planning Scheme although a minor expansion of this zone of this zone has occurred. During the Interim Planning Scheme process a large portion of Waratah Wynyard was zoned Rural Resource by default. Part EMZ 1 of the Guidelines outline that land is to be zoned Environmental Management as follows:

EMZ 1 - The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as:

- (a) land reserved under the Nature Conservation Act 2002;*
- (b) land within the Tasmanian Wilderness World Heritage Area;*
- (c) riparian, littoral or coastal reserves;*
- (d) Ramsar sites;*
- (e) any other public land where the primary purpose is for the protection and conservation of such values; or*
- (f) any private land containing significant values identified for protection or conservation and where the intention is to limit use and development.*

Since the Interim Planning Scheme was enacted, many parcels of Crown land have been listed as statutory reserves under the *Nature Conservation Act 2002* and as a result now qualify for the Environmental Management Zone. Additionally, many riparian and littoral reserves created under the *Crown Lands Act 1976* have also been included.

A small number of lots have been converted to Environmental Management Zone that are not listed as reserves but may have conservation value and may complement adjacent lots zoned Environmental Management, this is the case alongside Lake Mackintosh adjoining a Council boundary to West Coast Council.

The zone has been applied in accordance with the Guidelines, except for *EMZ 1-(f) 'any private land containing significant values identified for protection or conservation and where the intention is to limit use and development.'* Land under private conservation covenants would fall into this category. However, it is deemed that in zoning these parcels Environmental Management, it restricts the possible uses of the land substantially beyond the current Rural Resource Zone. If zoned Rural, the Natural Assets Code provisions, particularly those relating to the Priority Vegetation Area, apply in full and would reflect the land management values of a lot subject to a natural assets-based covenant.

A small number of lots have been converted to Environmental Management Zone that are not listed as reserves but have a high conservation value and may complement adjacent lot zoned Environmental Management. Please refer to Appendix A for more details.

Major Tourism Zone 24.0

This zone is not used in the WWLPS.

Port and Marine Zone 25.0

This zone is not used in the WWLPS.

Utilities Zone 26.0

The spatial application of the Utilities Zone will be largely a like for like transition from the Interim Planning Scheme. In Somerset and Wynyard some TasWater infrastructure has been converted to Utilities from Rural Resource. These modifications are proposed to reflect the established uses and are detailed in Appendix A.

Acquired Road titles Rural Resource zone to Utilities zone

The intersection of the Bass Highway and Old Bass Highway junction is located at the eastern end of Doctors Rocks, Wynyard. There are historical parcels spilling into the Bass Highway intersection, which have been acquired by State Growth, however the IPS does not accurately reflect this.

Council suggests correcting this between the cadastre boundary and road reserve boundary as identified on the 'State Road Casement' layer published on the LIST to avoid the need for split zoning on titles.

This correction is consistent with the Zone application guideline UZ 2 as the Bass Highway is a category I road as defined in the Tasmanian State Road Hierarchy and is based on the 'State Road Casement' layer published on the LIST as seen below in Figure 3.17.



FIGURE 3.17 Doctors Rocks Bass Highway/Old Bass Highway junction.
Left Image: current IPS Right Image: LPS reflect the LIST layer 'State Road Casement'
Need to update and provide further direction to INSIGHT follow TheLIST layer not title boundary.

Community Purpose Zone 27.0

The spatial application of the Community Purpose Zone will be a like-for-like transition from the Interim Planning Scheme.

Additionally, a small expansion of the Community Purpose Zone is proposed at Boat Harbour Primary School site, the small expansion of the zone will ensure the current sports ground with associated oval is within the zone should any future development occur here. Currently a split zone occurs where the school building and associated carpark is located. This will continue to be the case, with the inclusion of the sports ground with oval and the local state fire station to be converted to Community Purpose Zone instead of their surrounding zone, which would be Agriculture. The proposed zoning change can be viewed in Figure 3.18 below.



Figure 3.18- Boat Harbour Primary School.
Left Image current IPS zoning. Right Image WWLPS zoning CPZ.

Recreation Zone 28.0

The spatial application of the Recreation Zone will be a like-for-like transition from the Interim Planning.

Open Space Zone 29.0

The spatial application of the Open Space Zone will be a like-for-like transition from the Interim Planning Scheme, except for one change to a portion of public land at Boat Harbour Beach and reserve area.

Open Space Zone from Environmental Management Zone

This portion of land is currently zoned Environmental Management under the WWIPS 2013. Boat Harbour Beach coastal reserve has been identified as being currently used as a parking, recreational use area, and foreshore beach. It is proposed that a better fit for the existing uses to remain and continue operating in this location would be the Open Space zone. Council's Draft Boat Harbour Beach Masterplan dated May 2019 (prepared by ERA Planning Pty Ltd, Cumulus Studio and Noa Group) was at public consultation stage and provides a shared strategic vision of the future of Boat Harbour Beach.

The purpose of the Open Space Zone is:

29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.

Council has developed a master plan for Boat Harbour Beach that would see the prominence of car parking diminished, and open space areas be established that provide direct access to the beach. Currently you walk off the beach straight into the car park.

Rezoning of the parcel as Open Space would facilitate this re-development. The objectives of the master plan align with purpose 29.1.1.

The parcel to be zoned Open Space includes the headland to the north. This area consists of coastal scrub and includes a walking circuit around the headland. There is no intention to remove the vegetation, but to retain the natural values and landscape amenity, which also accords with the zone purpose. This remains consistent with OSZ1, OSZ2 and OSZ3.



Figure 3.19- Boat Harbour Beach Foreshore northern bay and portion of eastern bay.
Left: IPS zoning. Right: WWLPS OPZ

Waratah Golf Course

Currently under the WWIPS the title referenced as CT1/112494 has a split zoning including the Recreation Zone, Environmental Management Zone and the Rural Resource Zone.

The proposed change to the title is to remove the current Rural Resource Zone that measures approximately 20m x 50m and adjoins the Waratah River where the Environmental Management Zone is mapped. This title is currently owned and operated as the Waratah Mountain Vista Golf Club. The subject title has portion of the golf course located on it and is maintained as such.

It is not consistent with the CCRLUS to transition this small portion of the site to a Rural Zone or an Agricultural Zone under the LPS, as it does not meet the decision matrix for either of these zones. Instead the addition of this small portion on the title is proposed as Recreation, consistent with most of the lot that it used in conjunction with. This minor correction is consistent with the zone application guidelines RecZ 1 The Recreation Zone should be applied to land that is, or is intended to be, used for active or organized recreational purposes, including; (a) sporting grounds and facilities; (b) golf courses ...

The Recreation zone for this portion of land remains consistent with the RecZ 2 as the zone allows for public land or privately owned land.

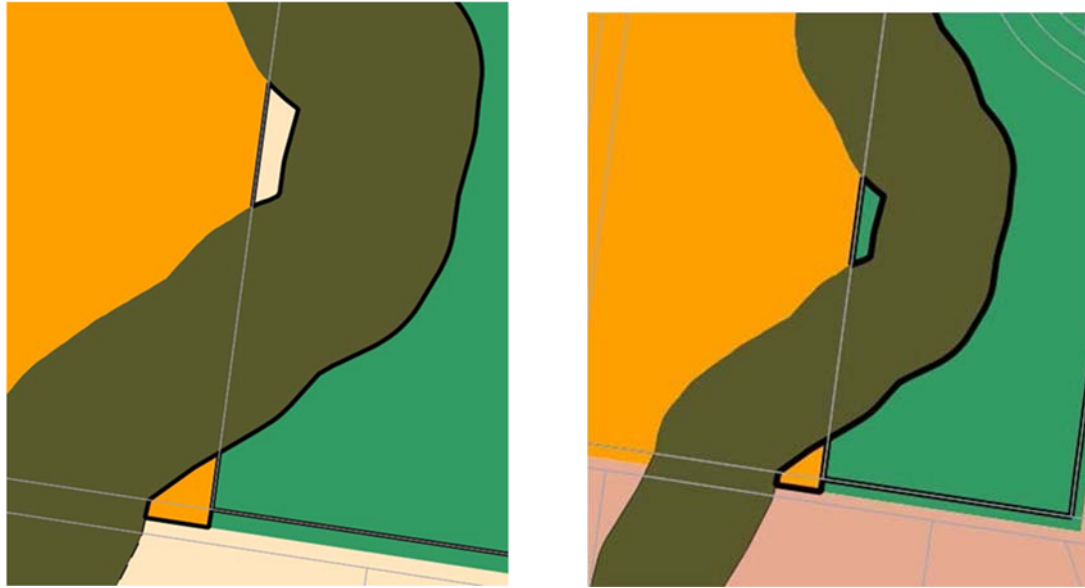


Figure 3.20 - Waratah Golf Course CT 1/112494

Left Image: IPS Right Image: LPS

Future Urban Zone 24.0

This zone is not used in the WWLPS.

4.0 CODES

Section LPI.7 of the LPS provides the requirements for how Code mapping should be applied in each municipal area with additional direction from the Guidelines.

Section LPI.8 provides the requirements for where Code lists in Tables are to be populated.

The following Codes are not mentioned in the sections below as they have no requirement for mapping or other opportunities for input in the LPS:

- † C1.0 Signs Code
- † C5.0 Telecommunications Code

C2.0 Parking and Sustainable Transport Code

Parking Precinct Plan

The Code allows for a parking precinct plan overlay map which can be applied to land (activity centres and streets) where the intention is to reduce the amount of parking required by new development. At this stage, it will not be used in the LPS.

Pedestrian Priority Street

A pedestrian priority street overlay map may be applied to a road where pedestrian movement and activity are to take priority over vehicle parking and access to facilitate active street frontages. At this stage, it will not be used in the LPS.

C3.0 Road and Railway Assets Code

Future road or railway

The Road and Railway Assets Code allows for an overlay map to be provided over areas which are reserved for a future major road or a future railway. An overlay will not be used unless TasRail or the Department of State Growth (DSG) provide comment requesting otherwise during the exhibition period.

Road and railway attenuation

Each LPS may contain an overlay map showing a road or railway attenuation area for the application of the Road and Railway Assets Code. Guideline RRAC I states “a road or railway attenuation overlay should only be applied as an alternative to the 50m attenuation area specified in the definition to account for local details.” As such, the road or railways attenuation area overlay map is not shown along the road and railway corridors, as there is no justification to vary the 50m attenuation area.

C4.0 Electricity Transmission Infrastructure Protection Code

The Code provides for the protection of transmission infrastructure such as the transmission line that runs from the Smithton substation to the Burnie substation. The LPS includes a mapped overlay based on data supplied by TasNetworks as required by Guideline ETIPC I. The overlay essentially provides a buffer area around transmission lines and substations and any use or development within that area must satisfy standards introduced to protect the infrastructure. No changes are proposed.

C6.0 Local Historic Heritage Code

This component is not used in the WWLPS.

C7.0 Natural Assets Code

The Natural Assets Code is comprised of three mapped overlays:

- † Waterway and coastal protection area;
- † Future coastal refugia area; and
- † Priority vegetation area.

The LPS Requirements at Section LPI.7.5 of the SPP's, specifies the requirements for the Natural Assets Code and each other respective overlay.

Waterway and coastal protection area

The waterway and coastal protection overlay map was derived from the LIST's 'Waterway and Coastal Protection Area Guidance Map'.

Future coastal refugia area

The future coastal refugia area overlay is applied to land identified for protection due to the landward retreat of the tidal zone. A 'Future Coastal Refugia Area Guidance Map' (guidance map) has been prepared and published on the LIST to provide guidance for preparing the future coastal refugia area overlay.

The Guidelines outline zones in which the overlay will apply, and for which zones its application requires special consideration, and those which require a case by case consideration. Justification for its application to codes relevant to this municipality is provided in the table below:

Zone Category	Zone	Comments
Special Consideration	- Rural Living Zone	The refugia area identified will be applied to this zone. It is considered that new or additional residential development on these properties should take full consideration of the natural coastal processes.
Case by Case Consideration	- Utilities - Community Purpose - Recreation Zone	The refugia area identified will be applied to all of these zones. It is considered appropriate that infrastructure and assets within the area that are zoned Utilities take into full consideration natural coastal processes.

Much of the landward retreat of the mapped tidal zone is located within Environmental Management zone and Open Space zones. These zones are considered compatible zones as per Guideline No 1 of Local Provisions Schedule. By retaining these zones under the LPS it is consistent with the State Coastal Policy in its recognition of coastal processes, and the CCRLUS in meeting strategic outcomes relating to addressing Climate Change by protecting ecological values of the foreshore and wetlands.

Priority vegetation area

Section LPI.7.5(b) requires that each LPS must contain an overlay map showing priority vegetation areas that:

- includes threatened native vegetation communities as identified on TASVEG Version 3 published by DPIPWVE;
- are derived from threatened flora data from the Natural Values Atlas published by DPIPWVE;
- are derived from threatened fauna data from the Natural Values Atlas for the identification of significant habitat for threatened fauna species, published by DPIPWVE.

A planning authority may modify the priority vegetation area derived from the above listed datasets, if field verification, analysis or mapping undertaken at a local or regional level by the planning authority, or a suitably qualified person on behalf of the planning authority:

- finds any anomalies or inaccuracies in the State data;
- provides more recent or detailed local assessment of the mapping and data; or
- identifies native vegetation or habitat of local importance.

The data prescribed for inclusion by the SPP's is very broad and not easily dissected or mapped in an effective way. As a result, the planning authorities across the Southern, Northern & Cradle Coast Region engaged Rod Knight of Natural Resource Management Pty Ltd to undertake an analysis based on his 'Regional Ecosystem Model' (REM) and prepare the priority vegetation areas to be mapped as part of the LPS's which meets the requirements of the guidelines.

This approach provides for consistency across all municipal areas that is well-informed and directly comparable when assessing not only the LPS's, but also when assessing future development applications.

The REM is a complex layering of biodiversity values that refines the focus on areas of importance. A detailed description of the REM and how it relates to the priority vegetation overlay is provided in Appendix E. In summary however, the model:

- Integrates spatial data on the distribution of the major components of biodiversity, and the factors affecting them;
- Models key biodiversity attributes that derive from multiple inputs;
- Analyses the relationships among the components of biodiversity and the

- environment; and
- Spatially identifies areas which have immediate or potential conservation concerns, and provides indicators of their relative importance, to inform approaches and priorities for management.

The priority vegetation areas produced by the mapping have influenced the application of the Agriculture Zone, in particular. The Priority Vegetation development controls or mapping cannot be applied in this zone and as such, value judgements have been necessary given competing priorities between agriculture and vegetation preservation. Alternative zones such as the Rural Zone, which allow existing agricultural practices to occur whilst recognising important conservation vegetation, have been used in a number of areas as a compromise. These aspects are referenced in more detail in individual cases in Appendix A.

C8.0 Scenic Protection Code

This component is not used the WWLPS.

C9.0 Attenuation Code

Clause LPI.7.7 of the SPP allows each LPS to contain an overlay map showing attenuation areas for the spatial application of the Attenuation Code. No overlay map is proposed and therefore the attenuation distances will be as per those provided in Table C9.1 and C9.2 in the SPP's.

C10.0 Coastal Erosion Hazard Code

C11.0 Coastal Inundation Hazard Code

Clause LPI.7.9 of the SPP requires each LPS to contain an overlay map produced by the Department of Premier and Cabinet, showing:

- (i) coastal inundation hazard areas; and
- (ii) coastal inundation investigation areas,

for the application of the Coastal Inundation Hazard Code.

Guideline CIHC I requires the coastal inundation hazard area overlay to include the three coastal inundation hazard bands and the coastal inundation investigation area as depicted in the 'Coastal Erosion Hazard Area Bands 2016|201' layer published on the LIST.

The coastal inundation hazard area overlay in the LPS has not been modified from the layer published on the LIST.

C12.0 Flood-Prone Hazard Code

The Flood-Prone Hazard Code is used in the WWPS and mapping has been based from flood mapping data captured under the June 2016 flood events. This layer is captured on state mapping under TheList website June 2016 HWM Flood Extent.

C13.0 Bushfire-Prone Areas Code

The LPS incorporates a bushfire-prone area overlay which has been provided by the Tasmanian Fire Service. The supporting report from the TFS is provided at Appendix F.

C15.0 Landslip Hazard Code

Clause LPI.7.12 of the SPP requires the LPS to contain an overlay map produced by the Department of Premier and Cabinet, showing landslip hazard areas for the application of the Landslip Hazard Code. Guideline LHC 1 requires the landslip hazard area overlay must include the four landslip hazard bands as depicted in the 'Landslide Planning Map – Hazard Bands 2013 1022' layer published on the LIST, unless modified. No modification is proposed.

C16.0 Safeguarding of Airports Code

Clause LPI.7.14 of the SPP requires the LPS to contain an overlay map which indicates the airport obstacle limitation area based on the Obstacle Limitation Surfaces (OLS) for a specific airport. Waratah Wynyard features an airport in Wynyard and the current OLS map will be carried over to the LPS.

5.0 LOCAL OVERRIDING PROVISIONS

5.1 MINISTER'S DECLARATION as per Section 87C & Schedule 6.

The Ministers declaration and associated documents is provided under separate cover.

5.2 LOCAL AREA OBJECTIVES

The WWIPS 2013 does not contain any Local Area Objectives and consequently the only statutory description of the local areas have been through the CCRLUS.

6.0 LUPAA MANDATORY REQUIREMENTS s32(2)(b)

The mandatory requirements are adopted in full as follows:

6.1 Spatial Application of the State Planning Provisions s(32)(2)(c) & (e)

Section 32(2)(c) and (e) requires that an LPS must contain maps, overlays, lists or other provisions that provide for the spatial application of the SPP's. Section LP1.0 of the SPP's outlines the way the spatial application of the SPP's is to be presented.

The draft LPS is prepared in accordance with the application and drafting instructions included in the SPP's and in Guideline No.1 - Local Provisions Schedule Zone and Code Application (the "Guidelines") issued by the TPC.

6.2 Sections 11 & 12 of LUPAA – s32(2)(d) & (f)

Formerly Section 20 of LUPAA, Sections 11 and 12 of the Act prescribe the contents of planning schemes and refer to the TPS. In particular, the sections outline the matters that a planning scheme may, or may not, regulate.

Section 12 recognises the continuing use and development rights for those uses and developments that were in existence before new planning scheme provisions take effect, or that have been granted a permit but have not yet been completed.

The draft LPS does not seek to regulate matters outside the jurisdiction prescribed in Sections 11 and 12 of the Act. It is noted that the legal protections for existing uses informs decisions about the applications of zones to land.

6.3 Use of overlays & Lists – s32(2)(e)

The SPP includes a number of Codes that are only given effect through maps or lists in the LPS. See section 4 for more detail.

6.4 Land Reserved for Public Purposes - 32(2)(g)

The LPS does not expressly designate land for public purposes, however it does zone public land appropriately.

6.5 Application of the detail of the SPP to a particular place or matter - s32(2)(h)

The LPS applies to SPP via zones and overlays consistent with the Guidelines issued by the TPC.

6.6 Overriding provisions – s32(2)(i)

The LPS contains overriding provisions in that the contents of PPZ's, SAP's and SSQ's override some provisions of the SPP's where those provisions modify or are in substitution for the SPP's.

Most overriding provisions are protected under transitional arrangements in which PPZ's, SAP's and SSQ's that exist at December 2015 can automatically carry forward with the consent of the Minister.

The LPS aims to achieve as much consistency as possible with the SPP's and only seeks to include overriding provisions where the Act requirements for compliance with the Schedule 1 Objectives of LUPAA or the CCRLUS cannot be met without local provisions.

6.7 Modification of Application of SPP's – s.32(2)(j)

The LPS does not seek to modify application of the SPP's. The SPP's are applied to land, use and development in accordance with the directions prescribed in Section LPI.0 of the SPP's and in consideration of the Guidelines

The requirements for the application of the SPP's does however influence the proposal for the inclusion of overriding local provisions in the PPZs, SPP's and SSQ's.

6.8 Limitations of LPS – s32(2)(k)&(l)

The provisions at 32(2)(k) & (l) require a LPS to not include provisions that:

- 6.8.1.1 the SPP specifies cannot be included in an LPS;
- 6.8.1.2 otherwise exist in the SPP; and
- 6.8.1.3 are inconsistent with the SPP.

It is considered that the draft LPS is compliant with these limitations.

6.9 LPS may include – s32(3), (4) & (5)

The LPS may include PPZs, SAPs and SSQs only if:

Currently WWIPS is limited to one PPZ and this will be transition into Council's LPS.

